

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DWAYNE A WILSON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

No. 4:16-CV-05093-EFS

**ORDER GRANTING PARTIES'
STIPULATED MOTION FOR REMAND**

JUDGMENT: REVERSED AND REMANDED

Before the Court, without oral argument, is the parties' Stipulated Motion for Remand, ECF No. 12. The parties are asking the Court to remand the case pursuant to 42 U.S.C. § 405(g). That section states in relevant part: "The court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing." 42 U.S.C. § 405(g). The parties seek remand for further administrative proceedings, including, but not limited to, the following actions:

- (1) "[T]he administrative law judge (the ALJ) will further consider the medical source opinions of Wil Nelp, M.D. (Tr. 47-58), Melvin Wahl, M.D., and Nurse Practitioner Desiree Ang (Tr. 622-625), William Backlund, M.D. (Tr. 105-107),

Guillermo Rubio, M.D. (Tr. 134-137), David Martinez, M.D. (Tr. 462-465, 468-469, 514-515, 516-518), and William Drenguis, M.D. (Tr. 426-430)."

(2) "[T]he ALJ will reassess Plaintiff's subjective complaints; the ALJ will consider reconsider Lisa Schmidt's statement (Tr. 305-312)."

(3) "[T]he ALJ will reevaluate Plaintiff's residual functional capacity; and, if warranted, the ALJ will obtain vocational expert evidence."

ECF No. 12. The Court finds good cause to grant the parties' stipulated motion.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 12**, is **GRANTED**.

2. Pursuant to 42 U.S.C. § 405(g), this case is **REVERSED** and **REMANDED** to the Social Security Administration for further proceedings consistent with the parties' stipulation.

3. All pending motions are **DENIED AS MOOT**.

4. All hearings and other deadlines are **STRICKEN**.

5. **JUDGMENT** is to be entered in the Plaintiff's favor.

6. An application for attorney fees may be filed by separate motion.

7. The case shall be **CLOSED**.

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1 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this
2 Judgment Order and provide copies to all counsel and to the Social
3 Security Administration.

4 **DATED** this 20th day of March 2017.

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6 s/Edward F. Shea

 EDWARD F. SHEA
7 Senior United States District Judge
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